

MM 98-204

**RECEIVED**

JUN 26 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**STATEMENT OF  
MARILYN A. KUSHAK  
VICE PRESIDENT, SALES AND MARKETING  
WMAY/WNNS/WQLZ/WYVR  
MIDWEST FAMILY BROADCAST GROUP**

**Before the  
Federal Communications Commission  
En Banc Hearing on Equal Employment Opportunity**

**June 24, 2002**

No. of Copies rec'd 0  
List ABCDE

**Mr. Chairman and Commissioners, thank you for the opportunity to appear at this En Banc Hearing on equal employment opportunity.**

**My name is Marilyn Kushak. I am Vice President of Sales and Marketing for a group of four radio stations based in Springfield, Illinois, WMAY, WNNS, WQLZ AND WYVR. The Springfield market is part of Midwest Family Broadcasters, which also serves four other markets in the Midwest.**

**We operate all four of our radio stations with only 44 full-time employees, of which 12 are sales and marketing professionals. Because of our size, many of our employees are experts at multi-tasking, and in fact, are specifically cross-trained so they can assist in several areas of responsibility. For example, even though I am Vice President of Sales and Marketing, I also spend a considerable amount of time on training and community affairs.**

**First, I want to highlight that my stations wholeheartedly endorse the FCC's goal of maintaining and enhancing workplace diversity in the broadcast industry. We have always believed that having a diverse staff is in our best interest because it enables us to serve our community. It is merely the activities and strategies used to meet our mutual goal of workplace diversity that differ. At this hearing today, I appreciate the**

**Statement of Marilyn A. Kushak  
FCC EEO En Banc Hearing  
June 24, 2002**

**opportunity to share with the FCC the activities we have found to be the most efficient, effective means to achieving this goal.**

**In a typical year, Midwest hires between six and eight new full-time employees. Given the size of our company, we cannot justify the hiring of a Personnel Director or a human resources department. I understand that the FCC's new EEO proposal includes many of the same recordkeeping obligations required under the previous rules. I hope this will not be the case, because we found that complying with the FCC's previous rules often was difficult, since my employees were already taking on a maximum number of duties in order to best serve our community. Specifically, we often found it very burdensome to track, collect and report the information needed for our EEO Public File Report, the FCC's Form 396, and the Form 395-B describing the gender and racial make-up of our work staff. In fact, Midwest staff sometimes faced the challenge of trying to complete the FCC EEO paperwork, while at the same time fulfilling their regular duties.**

**This predicament was made even more difficult because our stations could never identify any direct benefits we realized from collecting the EEO information required by the FCC's rules. For instance, we could never point to any evidence that tracking**

**information on job applicants who we ultimately did not hire helped us in any way to find qualified employees or increase our workforce's diversity.**

**Although Midwest usually cannot anticipate which type of jobs will become vacant, we are usually able to predict the most effective means for filling the various types of jobs. We have found that, for many types of vacancies, recruiting in our community is unrealistic and fruitless. In the past year, we have had vacancies for an engineer, a mid-day on-air personality, and a newsperson. Each of these positions requires a different strategy for identifying qualified candidates. Placing a classified ad in a newspaper or making on-air announcements simply do not attract qualified candidates for these specialized positions. Although we sometimes have success finding employees in this way for other types of jobs, such as sales and clerical jobs, my stations have found that widely disseminating information on specific job vacancies is very often a waste of resources.**

**On the other hand, Midwest has experienced great success in identifying superior job candidates through our on-going, general outreach efforts. I would like to share with you a few examples.**

**First, we produce a job fair in Central Illinois every January and July. Our stations heavily promote these "Employment Expo's" for at least eight weeks in on-air announcements, on our website, and in materials sent to educational institutions. We also partner with a local school-to-work program and the State of Illinois Employment Agency to expand awareness of the Expo's. As a result, the Expo's have attracted an average of 1,000 job seekers every year, and routinely are a major source of new employees at our stations and other participating companies. In addition, we have noted that the Expo's attract an extremely diverse mix of attendees.**

**Midwest also performs continuous, on-going outreach on our radio stations' websites. We maintain a current list of available job openings, and as a matter of course, we post all vacancies on NAB's electronic career page, and on the Illinois State Broadcasting Association's website.**

**In addition, we regularly broadcast on-air announcements promoting our website as the place to visit to discover our current job openings. We also make on-air announcements describing particular vacancies. In fact, we have identified that on-air announcements are**

**and attracting quality employees. We have worked diligently to develop activities that achieve results, and have experienced those that do not make a difference. We know from experience that the FCC's one-size fits-all, job-specific recruitment rules are simply unrealistic, and in many instances, completely fruitless.**

**Midwest Family understands that the point of the FCC's latest attempt to adopt EEO rules is to prevent discrimination in the broadcasting industry, but we are somewhat perplexed by this. From my perspective as a female broadcaster, with many years in the business, I have never witnessed or experienced discrimination against anyone. It simply is not a factor to our industry, and not because the FCC tells us not to discriminate, but rather, because it is good business to have a diverse work staff. We made these efforts to reach out to our communities to find quality employees for the 30 years while the FCC's rules were in effect, and never slowed down during the last 2 ½ years without rules, and I can assure you that, regardless of whether the FCC adopts new EEO rules going-forward, we will continue to reach out to our communities to create a quality, diverse work staff simply because it is in our mutual best interests.**

**Again, thank you for the opportunity to share my experiences  
with the FCC. I appreciate your attention, and I would be pleased to  
respond to any questions you may have.**